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USDC/SDNY  
500 PEARL STREET  
NEW YORK, N.Y. 10007  
(ATTN. PRO-SE CLERK)

NOVEMBER 02, 2021

RE: Hall v. Annuncci, ET AL  
DKT. NO. 19 CIV 5521 (KMK)  
OPINIO AND ORDER ENTERED 09/24/21

HONORABLE U.S.D.J. KARAS,

Respectfully, THIS CORRESPONDENCE AND ITS  
ATTACHED DOCUMENTS, ALLEGEDLY SERVE TO  
CONTRADICT THE COURT'S OPINION AND DENIAL  
OF PLAINTIFF'S MOTION FOR ORDER TO SHOW CAUSE  
DATED FEBRUARY 02, 2021, AND WHERE THE COURT  
DETERMINED PLAINTIFF'S GRIEVANCE DID NOT  
MEET THE, "TEXTUAL EXCEPTION TO MANDATORY  
EXHAUSTION," HELD IN ROSS V. BLAKE, 136 S.Ct.  
1850 (2016). (PLEASE SEE DOCKET TEXT NO. 116 RE:  
PLAINTIFF'S REPLY TO AAG'S POSITION TO EXCEPTIONS  
TO EXHAUSTION); (SEE ALSO, DOCUMENTS ATTACHED  
TO PLAINTIFF'S OCTOBER 13, 2021 - RE: MEDICATION  
RECEIVED ON 01/29/2021 WHICH WAS NECESSITATED  
1,

TO ADDRESS THE RESURGENCE OF THE DEFENDANT'S AGENT'S PROVOCATION OF METSA OF WHICH THIS COURT'S OPINION IMPLIES THAT DEFENDANT FAILED TO ALLEGE ON-GOING RECURRENCE); (SEE ALSO CORC DENIED GRIEVANCE #GH-88297-17, DATED, "BELATEDLY," JUNE 26, 2019 - "CORC HAS NOT BEEN PRESENTED WITH SUFFICIENT EVIDENCE TO SUBSTANTIATE ANY MALFEASANCE BY STAFF," CONCERNING: THREATS/RETALIATION FOR PRIOR GRIEVANCES - WHERE CORC GOES ON TO CIRCUMVENT DIRECTIVE #4040 BY REFERRING PLAINTIFF TO "ADDRESS SECURITY CONCERNS TO AN AREA SUPERVISOR" (SUCH CORC DENIAL AND RECOMMENDATION WAS DATED 06/26/2019 FOR AN GRIEVANCE FILED 12/05/2017); (ALSO IN 03/01/2018, AREA SUPERVISOR AND GRIEVANCE INVESTIGATOR, SGT JOHANEMAN'S REPORT STATED, "GRIEVANCE IS DISMISSED AS HEARSAY...")

DISCOVERY ORDER IN THIS COURT'S 31 PAGE OPINION ENTERED 09/24/2021 - INSTRUCTS DISCOVERY TO BE COMPLETED, 60 DAYS FROM THE 09/24/2021 OPINION. IN EFFECT THE COURT HAVE SERIOUSLY MINIMIZED PRO-SE MOTION FOR INJUNCTION BY ORDER TO RESUBMIT BECAUSE ITS DENIAL WAS WITHOUT PREJUDICE?

WITH ALL DUE RESPECT, THE COURT HAVE OBVIOUSLY CONVINCED ITSELF THAT THE PLAINTIFF IS AN IDIOT OR PROBABLY LESS INTELLIGENT THAN AN IDIOT- BECAUSE THE COURT HAVE CLEARLY THREATEN PLAINTIFF WITH NO RESPECT OR PROBABILITY OF POSSESSING EVEN A SCINTILLA OF INTELLIGENCE.

PLAINTIFF, NEVERTHELESS, SUBMITS THIS PAPER WITH ATTACHED DOCUMENTS TO COINCIDE WITH DOCUMENTS SUBMITTED ON OCTOBER 13, 2021; (MEDICAL LABEL TAKEN FROM CONTAINERS); THE INSTANT SUBMISSION CONSIST OF THE GRIEVANCE PARTICULARS THAT THIS COURT HAVE OBVIOUSLY DISCARDED BECAUSE THEY WERE ENCLOSED IN AAL HORAN'S EARLIER SUBMISSIONS. IN OTHER WORDS, THE ASST. ATT. GEN. FILED THE ENCLOSURES WITH THIS COURT MORE THAN A YEAR AGO.

UNBEN, ROSS, SUPRA, ENCLOSURES, ALLEGEDLY SHOW GRIEVANCE PROGRAM TO BE "DYSFUNCTIONAL" WHEN IT COMES TO "TALENTS" FROM CORRECTIONAL STAFF; AND EXHAUSTION, WHERE GRIEVANCE # 88297-17 TOOK TWO(2) YEARS TO REACH A CORC DENIAL."

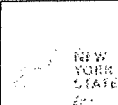
RESPECTFULLY SUBMITTED,

cc  
AAL BRENDAN M. HORAN  
28 LIBERTY STREET  
NYC, NY 10005

3.

R. HALL #05A5367  
594 ROUTE 216  
STORMVILLE, NY 12582

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 Corrections and Community Supervision	Grievance Number <b>GH-88297-17</b>	Desig./Code I/49	Date Filed 12/05/17
	Associated Cases		Hearing Date 06/26/19
ANDREW M. CUOMO Governor	ANTHONY J. ANNUCCI Acting Commissioner		
INMATE GRIEVANCE PROGRAM CENTRAL OFFICE REVIEW COMMITTEE		Facility Green Haven Correctional Facility	
Title of Grievance Threats/Retaliation For Prior Grievance			

### GRIEVANT'S REQUEST UNANIMOUSLY DENIED AS WITHOUT MERIT

Upon full hearing of the facts and circumstances in the instant case, the action requested herein is hereby denied as without merit. CORC upholds the determination of the Superintendent for the reasons stated.

*C.O. LAZERSON*  
 CORC notes that Officer L... was identified as the officer referred to by the grievant, and that he is no longer employed by DOCCS. Therefore, he is unable to respond the grievant's allegation of retaliation. It is further noted that GH-85737-17 and GH-86351-17 were answered by CORC on 8/29/18 and 12/5/18, respectively. CORC has not been presented with sufficient evidence to substantiate any malfeasance by staff.



With respect to the grievant's appeal, CORC notes that the instant complaint was processed in accordance with Directive #4040, § 701.8, therefore, no hearing was held. CORC also notes that he did not name any witnesses in his written complaint or when interviewed by Sergeant J.... He is advised to address security concerns to an area supervisor for the most expeditious means of resolution.

MPS/ral

*701.8 (a) (note)*

*(NOT A prerequisite  
 For filing a grievance  
 with the IAP)*



Grievant HALL	Number 05A5367	Cell E1-127
 <b>Corrections and Community Supervision</b>	Grievance Number 88297-17	Date Filed 12/5/2017
	Title THREATS/RETALIATION FOR PRIOR GRIEVANCE	Code 49
Inmate Grievance Program Green Haven	Superintendent's Signature 	Date 3/22/18

The grievant complains of threats/retaliation for prior grievances.

According to the investigation, the grievant was interviewed by Sgt. J. The grievant had nothing further to add to his original written complaint nor could he provide any witnesses or support his allegations with any tangible facts.

The grievant was unable to name the CO in his complaint, but did identify him during the interview. That CO has since retired from DOCCS; therefore, he was unable to be interviewed or provide a written statement.


Based on the investigation conducted, the grievant's allegations could not be substantiated.

Grievance is denied.

#### Appeal Statement

If you wish to refer the above decision of the Superintendent please sign below and return this copy to your Inmate Grievance Clerk. You have seven (7) calendar days from receipt of this notice to file your appeal. Please state why you are appealing this decision to C.O.R.C.


THERE WAS NO HEARING, GRIEVANCE PROCESS WAS "IRREGULAR".  
 GRIEVANCE HEARING WAS NOT REALIZED, ACCORDING TO, OR IN  
 COMPLIANCE WITH DIRECTIVE. SUCH C.O., WHO IS NOW RETIRED, WAS MADE  
 SERGEANT PRIOR TO RETIREMENT, AND THE SUBORNING, OR DELAYING OF  
 GRIEVANCE PROCESS. AS TO WITNESSES OF WHICH 3 EXIST, APPEAL WOULD  
 SUFFICE TO FURTHER SUBSTANTIATE ALL CLAIMS.

cc:  03/23/2018

Grievance Clerk's Signature

Date

Form 2133 (Rev. 2/89)



3/26/18

**Exhibit C - 005**

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TO: GREEN HAVEN CORRECTIONAL FACILITY  
INMATE GRIEVANCE PROGRAM

FROM: R. Hall #05A5367 (E-1-127)

RE: Grievance No. GH-88297-17  
Appeal Statement

WHERE THE DECISION TO DENY GRIEVANCE  
WAS CONTRARY TO GRIEVANCE DIRECTIVE #4040,  
NOT LIMITED TO, THE ABSENCE OF A GRIEVANCE  
HEARING, OR REPRESENTATION BY COMMITTEE.

"... AN INMATE, (PRISONER), MAY  
PURSUE A COMPLAINT THAT A REPRISAL  
OCCURRED THROUGH THE GRIEVANCE  
MECHANISM" (DIRECTIVE #4040, SEC 701.6(B))

COI  
Matter of Hall v. GHCF  
2018-00779 (2 Dept.)

Respectfully Submitted,  
Ralph Hall #05A5367  
RALPH HALL #05A5367

Hall v. State  
130612 (M-91916)

Dated, March 23, 2018

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## Corrections and Community Supervision

ANDREW M. CUOMO  
Governor

ANTHONY J. ANNUCCI  
Acting Commissioner

To: I.G.P. Supervisor

From: R. Johaneman Sergeant

 Subject: GH#88297-17 Hall 05A5367

Date: 03/01/18

I interviewed inmate Hall 05A5367 regarding his written grievance # 88297-17 in E-Block. Inmate Hall had nothing to add to his original written complaint or he offered no new information, he provided no witnesses, he was unable to support his written allegations with any tangible facts, he provided no substantiating documentation or proof.

I was unable to interview the employee that inmate Hall had identified during my interview. The employee has since left the department.

I am unable to find any supporting documentation facts or proof to support these allegations... I must dismiss this complaint as hearsay and consider this matter closed.

Respectfully Submitted:

  
R. Johaneman Sergeant

**Loren, Rebecca A (DOCCS)**

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**From:** Wonsang, Lauren B (DOCCS)  
**Sent:** Wednesday, April 11, 2018 8:33 AM  
**To:** Loren, Rebecca A (DOCCS)  
**Subject:** RE: GH-88297-17

It was CO Lazerson, who retired.

Thank you!

**Lauren Wonsang**

Inmate Grievance Supervisor  
**Department of Corrections and Community Supervision**  
Green Haven Correctional Facility, 594 Route 216, Stormville, NY 12582  
(845) 221-2711 x4700 | [Lauren.Wonsang@doccs.ny.gov](mailto:Lauren.Wonsang@doccs.ny.gov)

**From:** Loren, Rebecca A (DOCCS)  
**Sent:** Wednesday, April 11, 2018 8:29 AM  
**To:** Stanaway, Laura A (DOCCS) <[Laura.Stanaway@doccs.ny.gov](mailto:Laura.Stanaway@doccs.ny.gov)>; Wonsang, Lauren B (DOCCS) <[Lauren.Wonsang@doccs.ny.gov](mailto:Lauren.Wonsang@doccs.ny.gov)>  
**Subject:** GH-88297-17

I am reviewing the cases we received in the mail yesterday.

Sgt. Johaneman indicates that the grievant identified the staff member during the interview and that they had left the Department, however, he did not provide the identity of the staff member.

Please have the staff member identified for the grievance file.

Due 4/18

**Rebecca Loren**

Inmate Grievance Program Coordinator

**Department of Corrections and Community Supervision**  
The Harriman State Campus, 1220 Washington Avenue, Albany, NY 12226  
(518) 457-1885 | (518) 457-1891 (fax) | [Rebecca.Loren@doccs.ny.gov](mailto:Rebecca.Loren@doccs.ny.gov)

[www.doccs.ny.gov](http://www.doccs.ny.gov)



GREEN HAVEN CORRECTIONAL FACILITY

P.O. BOX 4000

STORMVILLE, NEW YORK 12582-4000

NAME:

R. Hall

DIN:

05A5367

RECEIVED  
SDNY PRO SE OFFICE  
2021 NOV -4 PM 2:35

USDC/SDNY  
500 Pearl Street  
New York, NY 10007  
(CANN, PRO SE Clerk)

Legal mail

10007-131699



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